

SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA  
FAMILY DIVISION

\_\_\_\_\_,  
Petitioner,  
v. \_\_\_\_\_,  
Respondent.

Civil Action  
Case Number \_\_\_\_\_

**PETITION FOR DIVORCE WITHOUT MINOR CHILDREN**

My name is \_\_\_\_\_ and I am representing myself in this divorce action. In support of my case, I state as follows:

1. **Subject Matter Jurisdiction:** I am the Petitioner in this action and:  
*[Check only one of the following, either (a) or (b).]*  
 (a) I have been a resident of the State of Georgia for more than six (6) months immediately prior to filing this action.  
 (b) I am not a resident of the State of Georgia, but my spouse has been a resident of the State of Georgia for at least six (6) months immediately prior to my filing of this action.
  
2. **Venue:** My spouse's name is \_\_\_\_\_, and he/she is the Respondent in this action.  
*[Check only one of the following, either (a), (b), (c), (d) or (e).]*  
 (a) The Respondent is a resident of Fulton County and is subject to the jurisdiction of this Court.  
 (b) The Respondent is a resident of Georgia in \_\_\_\_\_ County, but the Respondent and I lived together in Fulton County at the time we separated, I still reside in Fulton County, and the Respondent has only moved away from Fulton County within the past six months before the date of my filing this action.

\_\_\_ (c) The Respondent is a resident of Georgia in \_\_\_\_\_ County, and I live in Fulton County. The Respondent has acknowledged service of process and consented to the jurisdiction and venue of this Court.

\_\_\_ (d) The Respondent is not a resident of the State of Georgia, but I am a resident of Fulton County, Georgia, and:  
[*Check only one of the following, either (1), (2), or (3).*]

\_\_\_ (1) The Respondent was formerly a resident of the State of Georgia and currently resides in the State of \_\_\_\_\_. The Respondent is subject to the personal jurisdiction of the Court under Georgia's Long Arm Statute, OCGA § 9-10-91(5).

\_\_\_ (2) The Respondent has never resided in the State of Georgia and currently resides in the State of \_\_\_\_\_.

\_\_\_ (3) The Respondent has acknowledged service of process and consented to the jurisdiction and venue of this Court.

\_\_\_ (e) I am a resident of Fulton County and the Respondent's whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Petition*, and incorporate it here by reference.

3. **Service of Process:** The Respondent shall be served as provided under OCGA § 9-11-4, in the following manner:

[*Check only one of the following, either (a), (b), or (c).*]

\_\_\_ (a) The Respondent has acknowledged service of process. I am filing the *Acknowledgment of Service* (which has been signed by the Respondent) with this *Petition*.

\_\_\_ (b) The Respondent may be served by the Sheriff's Department at the Respondent's residence/work address, which is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_ (b-1) [*Check only if the Respondent lives outside Fulton County.*] The Respondent resides outside of Fulton County, and shall therefore be served by second original, as provided under OCGA § 9-10-72. Service shall be made by the sheriff's department of the county where the Respondent resides.

(c) The Respondent's whereabouts are unknown to me. I am filing my *Affidavit of Due Diligence* with this *Petition*. The Respondent shall be served by publication as provided under OCGA § 9-11-4(e)(1) for those who cannot be found within the State of Georgia. To the best of my knowledge, the Respondent's last known address is:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. **Date of Marriage:**

*[Check and complete only one of the following, either (a) or (b).]*

(a) The Respondent and I were lawfully married on

\_\_\_\_\_.

(b) The Respondent and I are married by common law because we lived together and held ourselves out as husband and wife as of \_\_\_\_\_, which date was prior to January 1, 1997.

5. **Date of Separation:** The Respondent and I last separated on \_\_\_\_\_, and we have remained in a true state of separation since that date.

6. **Settlement Agreement:**

*[Check only if there is a signed agreement.]*

The Respondent and I have entered into a *Settlement Agreement*, which we both want to be incorporated into the *Final Judgment and Decree for Divorce*. The *Settlement Agreement* has been signed by each of us in front of a notary public, and I am filing the *Settlement Agreement* with the Court, together with this *Petition*.

7. **Minor Children:**

*[If you and the Respondent have any minor children together, you must use a different Divorce Petition form. See instructions.]*

The Respondent and I do not have any minor children together.

8. **Alimony:** *[Check only one of the following, either (a), (b), or (c).]*

(a) I am financially dependent on the Respondent and need the Court to order the Respondent to pay alimony for my support.

- (b) I am not asking for alimony.
- (c) The issue of alimony cannot be decided in this action because the Court does not have personal jurisdiction over the Respondent.

9. **Marital Property:** *[Check only one of the following, either (a), (b), (c) or (d). Do not include complete account numbers.]*

- (a) The Respondent and I have already divided our marital property, and we are both satisfied with the division.
- (b) The Respondent and I have not obtained any property during our marriage.
- (c) The Respondent and I have obtained the following property during our marriage, and I am asking for a fair division of this property:

House located at \_\_\_\_\_

Other real estate, located at \_\_\_\_\_

Mobile home (model: \_\_\_\_\_, year: \_\_\_\_\_)

Pension (mine, worth \$ \_\_\_\_\_; Respondent's, worth \$ \_\_\_\_\_)

Motor vehicles listed here:

Model/year: \_\_\_\_\_

Model/year: \_\_\_\_\_

Model/year: \_\_\_\_\_

Furniture:

Listed here: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Listed on separate paper attached to this *Petition*

Bank accounts and/or other investments:

Listed here: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Listed on separate paper attached to this *Petition*.

Other property:

Listed here: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Listed on separate paper attached to this *Petition*.

(d) The issue of the division of marital property cannot be decided in this case because none of the property is in Georgia and the Court does not have personal jurisdiction over the Respondent.

**10. Joint or Marital Debts:** *[Check only one of the following, either (a), (b), or (c). Do not include complete account numbers.]*

(a) The Respondent and I do not have any outstanding joint or marital debts.

(b) The Respondent and I have the following outstanding joint or marital debts, and responsibility for paying them should be as listed below:

<u>Creditor</u>	<u>Balance</u>	<u>Who Should Pay</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Listed on separate paper attached to this *Petition*.

(c) The issue of dividing joint and marital debts cannot be decided in this case, because the Court does not have personal jurisdiction over the Respondent.

**11. Restraining Order Where Violence Has Occurred:**

*[Read instructions carefully and check only if applicable.]*

There is a history of physical violence by the Respondent toward me, and I am afraid that the Respondent will engage in further acts of violence or harassment toward me unless the Court enters a temporary and permanent restraining order.

\_\_\_ 12. **Restore Former or Maiden Name:** *[Check only if applicable.]*

My former or maiden name is \_\_\_\_\_,  
and I am asking the Court to restore that name to me.

13. **Grounds for Divorce:**

*[Check the ones that you can prove at trial.]*

My grounds for divorce from the Respondent are:

\_\_\_ (a) **Our marriage is irretrievably broken.** The Respondent and I can no longer live together and there is no hope that we will get back together.

\_\_\_ (b) **Cruel treatment** - The Respondent committed the following acts of cruel treatment toward me:

\_\_\_ (c) **Adultery** - The Respondent has had sexual intercourse with someone else during our marriage.

\_\_\_ (d) **Desertion** - The Respondent has intentionally and continually deserted me for at least a year.

\_\_\_ (e) **Other grounds** from list in OCGA § 19-5-3, as explained here: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR THESE REASONS, I REQUEST THE FOLLOWING RELIEF:**

*[Check all that apply.]*

- (a) That process and summons issue as provided by law;
- (b) That Respondent be served with a copy of this Petition;
- (c) That I be granted a total divorce from the Respondent;
- (d) That the *Settlement Agreement* signed by the parties be incorporated into the *Final Judgment and Decree of Divorce*.
- (e) That the Respondent be ordered to pay me alimony for my support;

- (f) That our marital property be divided according to Paragraph 9;
- (g) That our joint or marital debts be divided according to Paragraph 10;
- (h) That the Respondent be temporarily and permanently restrained from harassing me or committing any acts of violence toward me;
- (i) That my former or maiden name be restored according to Paragraph 12;
- (j) That a Rule Nisi be scheduled by the Court, to decide on the relief I have requested;
- (k) That the Court order the parties to participate in mediation, to try to resolve this matter; and
- (l) That the Court order any and all other relief that the Court finds appropriate.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Petitioner, Pro se (Signature)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
Email: \_\_\_\_\_

**IF YOU DO NOT HAVE AN EMAIL ADDRESS, FILL OUT A CERTIFICATE OF NO EMAIL ADDRESS**

Telephone No.: \_\_\_\_\_

SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA  
FAMILY DIVISION

\_\_\_\_\_,  
Petitioner, Civil Action  
v. Case Number  
\_\_\_\_\_,  
Respondent.

**VERIFICATION**

I, \_\_\_\_\_, personally appeared before the undersigned notary public and, being duly sworn, state that the facts stated in the foregoing Petition are true and correct.

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_(year)

\_\_\_\_\_  
Signature  
Name: \_\_\_\_\_  
Email: \_\_\_\_\_

**IF YOU DO NOT HAVE AN EMAIL ADDRESS, FILL OUT A  
CERTIFICATE OF NO EMAIL ADDRESS**

Telephone No.: \_\_\_\_\_

Sworn to before me this  
\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public